

Application No. 10/618,689
Response to Office Action of September 29, 2006
Response Dated November 1, 2006

REMARKS

This Amendment responds to the final Office Action mailed September 29, 2006. Claims 1-26 remain pending in the application and claims 1-5, 10, 13, 17 and 19-26 stand rejected. Claim 14 was objected to and claims 6-9, 11, 12, 15, 16 and 18 were withdrawn from consideration in view of a restriction requirement. Claims 1, 14 and 26 have been amended herein. Applicants assert that the amended claims are in complete condition for allowance and respectfully request reconsideration in view of the following remarks.

Claims Rejected Under 35 U.S.C. §102

Claims 1-15, 17 and 26 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,737,059 to Batten. Claims 1 and 26 are the only independent claims of this rejected group. Claim 1 is directed to a precise linear fastener system including a compression ring "non-rotationally linearly traversable with respect to said outer ribbed surface of said collet member between a first release position and a second engaged position." Claim 1 has been amended herein to recite that, in the engaged position the collet member is "clamped to the shank member without rotating said collet member." Claim 26 is directed to a linear fastener system having a collet member and a compression ring, each having corresponding peaks and valleys that engage one another in locked and unlocked conditions of the fastener system. Claim 26 has been amended to recite that the collet member "may be clamped to the shank in said locked condition without rotating said collet member."

Applicants assert that amended claims 1 and 26 are not taught or suggested by Batten '059. Specifically, Batten '059 is directed to a single-use fastener that is designed to fail at segments 56 of a nut 18 so that the fastener can be removed from a bolt 10, generally by turning the nut 18 by hand. (See Batten '059 at col. 3, lines 24-31.) Batten '059 discusses how nut 18 is threaded onto bolt 10 in a conventional manner, while a retainer sleeve 24 is provided for hoop retention of the nut 18. (Batten '059 at col. 2, line 65 – col. 3, line 6.) When it is desired to remove the nut 18, retainer sleeve 24 is pulled to the position shown in FIG. 3 whereafter tensile stresses on the nut 18 resulting from being threaded onto bolt 10 cause the nut to fail and segments 56 to separate. (See Batten '059 at col. 3, lines 7-31.) Until sleeve 24 is moved to cause the nut 18 to fail, the nut 18 remains intact and is only movable on the bolt 10 by threadably rotating the nut 18. The nut 18 of Batten '059, therefore, is not capable of being clamped to a shank member without being rotated, as set forth in claims 1 and 26. For at least these reasons, Applicants respectfully request that the rejections of claims 1 and 26 over Batten '059 be withdrawn.

Claims 2-5 and 17 each depend from independent claim 1, and are therefore in condition for allowance for at least the reasons discussed above with respect to claim 1. Accordingly, Applicants respectfully request that the rejections of claims 2-5 and 17 over Batten '059 be withdrawn.

Claim 1-5, 10, 13 and 17 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,162,234 to Freedland et al. While Applicants disagree with the Examiner's interpretation of "inner ribbed surface" as reading on the inner

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circumferential groove 141 of Freedland '234, claim 1 has been amended herein to further define the claimed embodiment. Specifically, claim 1 has been amended to recite that the inner ribbed surface has "at least one radially inwardly extending rib." In contrast, the circumferential groove 141 is a depression that extends in a direction radially outwardly from the inner surface of the hoop 14. For at least this reason, Applicants respectfully request that rejection of claim 1 over Freedland '234 be withdrawn.

Claims 2-5, 10, 13 and 17 each depend from independent claim 1, and are therefore in condition for allowance for at least the reasons discussed above for claim 1. Accordingly, Applicants respectfully request that the rejections of claims 2-5, 10, 13 and 17 over Freedland '234 be withdrawn.

Claims Rejected Under 35 U.S.C. §103

Claims 19-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Batten '059 and over Freedland '234. Claims 19-25 each depend from independent claim 1, and are therefore in condition for allowance for at least the reasons discussed above with respect to independent claim 1. Specifically, Batten '059 does not teach or suggest a collet member that is clamped to a shank without rotating the collet member, and Freedland '234 does not teach or suggest a compression ring with an inner ribbed surface having at least one radially inwardly extending rib, as discussed above. Accordingly, Applicants respectfully request that rejections of claims 19-25 over Batten '059 and Freedland '234 be withdrawn.

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Conclusion

In view of the foregoing amendments to the claims and the remarks set forth herein, Applicants believe this case is in condition for allowance and respectfully request allowance of the pending claims. If the Examiner believes any issue requires further discussion, the Examiner is respectfully asked to telephone the undersigned attorney so that the matter may be promptly resolved. The Examiner's prompt attention to this matter is appreciated.

Applicants do not believe that any fees are due in connection with this Amendment. However, if any fees are necessary to complete this communication, the Commissioner may consider this to be a request for such and charge any necessary fees to Deposit Account No. 23-3000.

Respectfully submitted,

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